

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**: CIVIL NO: C-1-00-037
: JUDGE BECKWITH
: MAGISTRATE JUDGE HOGAN**

ELESWORTH D. SIMPSON,

Defendant.

**PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE
WITH MEMORANDUM OF SUPPORT**

Plaintiff, the United States of America, respectfully petitions this Court for an Order to Show Cause why Defendant, Elesworth D. Simpson should not be held in contempt of this Court for failure to abide by a valid court order.

The grounds for said motion are more fully set forth in the accompanying Memorandum in Support.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

s/Deborah F. Sanders
DEBORAH F. SANDERS (0043575)
Assistant United States Attorney
Attorney for Plaintiff
303 Marconi Boulevard
Suite 200
Columbus, Ohio 43215
(614) 469-5715
Fax: (614) 469-5240
Deborah.Sanders @usdoj.gov

MEMORANDUM IN SUPPORT

The United States of America has previously obtained a judgment in this Court against judgment debtor. This judgment has not been paid in full.

On January 4, 2005, this Court issued its Order commanding Defendant, Elesworth D. Simpson to appear before this Court for a judgment debtor examination on Thursday, February 17, 2005 at U.S. District Court, 100 East Fifth Street, Hearing Room #701 - 7th Floor, Cincinnati, Ohio 45202 at 10:00 a.m. A copy of that Order was served on the Defendant by mailing the same to the Defendant by first class mail, postage prepaid. Defendant failed to appear as ordered. Defendant has not appeared at any time since nor communicated any valid reason for not appearing, nor filed any objections, nor obtained an extension of time.

THEREFORE, Plaintiff prays that an Order be issued causing Defendant is to appear before this Court at the time fixed in said Order, to show cause why he/she should not be held in contempt of this Court's Order.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

s/Deborah F. Sanders

DEBORAH F. SANDERS (0043575)
Assistant United States Attorney
Attorney for Plaintiff
303 Marconi Boulevard, Suite 200
Columbus, Ohio 43215
(614) 469-5715
Fax: (614) 469-5240
Deborah.Sanders @usdoj.gov

CERTIFICATE OF SERVICE

A true copy of the above and foregoing Motion for Order to Show Cause was filed using the CM/ECF system and mailed, to Elesworth D. Simpson, Defendant, 7351 Estate Court, Cincinnati, OH 45224, by first class mail, postage prepaid, this 14th day of March, 2005.

s/Deborah F. Sanders

DEBORAH F. SANDERS (0043575)
Assistant United States Attorney

